

January 22, 2003

State Water Resources Control Board Office of Chief Counsel P.O. Box 100 Sacramento, CA 95812-0100

Re: Petition filed by Merced, Modesto and Turlock Irrigation Districts

To Whom It May Concern::

Enclosed please find the original and one copy of each Subpoena Duces Tecum served by the San Joaquin River Group Authority, et al., in this matter. Please file the original and return the copies to this office in the envelope provided.

Sincerely,

Jill L. Dragseth Legal Assistant to Tim O'Laughlin

Enclosures

cc:

John Herrick w/enclosures

Dante John Nomellini w/enclosures

Karna E. Harrigfeld w/enclosures

۳.	BEFORE THE STATE WATER RESOURCE	ES CONTROL BOARD OF T	HE STATE OF CALIFORNIA
		NA (name, address, and telephones): 530/899-9755	FOR STATE WATER BOARD USE ONLY
	Tim O'Laughlin D'Laughlin & Paris LLP	530/899-9755	
	2571 California Park Drive, Suite 210		
	Chico, CA 95928		
D	San Joaquin River Group Author EPRESENTING: Merced I.D., Turlock I.D.	ity,ModestoI.D.,	
Ti	TLE OF THE PROCEEDING:		1
	VAMP: Long-Term Transfer Hearing		
	SUBPOENA RE HE	ARING	
	SUBPOENA DUCES TECUM RE DE	POSITION	·
TI	IE PEOPLE OF THE STATE OF CALIFORNIA, TO (name):	Jerry Robinson	
1.	YOU ARE ORDERED TO APPEAR AS A WITNESS in this named in item 3:	s proceeding as follows unless yo	u make special agreement with the person
	Date		
a. b.	Pebruary 4, 2003	Time: 8:00 a∡m.	
	211 E. Weber Avenue, Stockton,	CA 95202	JAN 2 4 2003
2.	AND YOU ARE:		š., 1
	a. Ordered to appear in person. (Wat. Code, § 1080; Gov. b. Not required to appear in person if you produce the re	Code, § 11450.10; Cal. Code Regs.,	tit. 23, § 649.6(a).)
	sections 1560 and 1561. (Wat. Code, § 1080; Gov. Code.) C. XX Ordered to appear in person and to produce the recoustodian or other qualified witness and the production subdivision (b) of section 1560, and sections 1561 and subpoena. (Wat. Code, § 1080; Gov. Code, § 11450.10;	e, § 11450.10(b); Cal. Code Regs., tile cords described in the accompanying of the original records is required by d 1562, of the Evidence Code will re-	. 23, § 649.6(a).) g affidavit. The personal attendance of the this subpoena. The procedure authorized by
3.	sections 1560 and 1561. (Wat. Code, § 1080; Gov. Cod c. XX Ordered to appear in person and to produce the rec custodian or other qualified witness and the production subdivision (b) of section 1560, and sections 1561 an	e, § 11450.10(b); Cal. Code Regs., tilcords described in the accompanying of the original records is required by d 1562, of the Evidence Code will recal. Code Regs., tit. 23, § 649.6(a).) OR THE TIME OR DATE FOR YO	. 23, § 649.6(a).) g affidavit. The personal attendance of the this subpoena. The procedure authorized by ot be deemed sufficient compliance with this
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Unless issued by an attorney pursuant to Code of Civil Procedure,
Section 1985, subdivision (c), the original subpoena is embossed with this seal.

(See reverse for Endorsement on Subpoena, if used, and Proof of Service)

Tim O'Laughlin (State Bar No. 116807) 1 William C. Paris, III (State Bar No. 168712) 2 O'LAUGHLIN & PARIS LLP 2571 California Park Drive, Suite 210 3 Chico, CA 95928 Telephone: (530) 899-9755 4 Facsimile: (530) 899-1367 5 Attorneys for San Joaquin River Group Authority, 6 Merced Irrigation District, Turlock Irrigation District, and Modesto Irrigation District 8 STATE OF CALIFORNIA 9 STATE WATER RESOURCES CONTROL BOARD 10 11 DECLARATION OF TIM In the matter of: 12 O'LAUGHLIN IN SUPPORT OF Petitions for Long Term Change and ADMINISTRATIVE SUBPEONA 13 Permanent Change by Merced Irrigation AND SUBPOENA DUCES District, Modesto Irrigation District and 14 TECUM (California Code of Regulations § 649.6) Turlock Irrigation District, 15 Applications Nos. 1224, 10572, 16186, 1233 and 14127 16 17 18 I, TIM O'LAUGHLIN, declare as follows: 19 I am one of the attorneys for the San Joaquin River Group Authority ("SJRGA") 1. 20 21 in the above-entitled action. This action is for a long term change by Merced Irrigation District, 22 Modesto Irrigation District and Turlock Irrigation District to implement the San Joaquin River 23 Agreement ("SJRA"). This change petition is sought for 47,000 AF of water that may be needed 24 in "double bump" years of the SJRA. 25 South Delta Water Agency has protested the petitions by Merced Irrigation 2. 26 District, Modesto Irrigation District and Turlock Irrigation District claiming, but not limited to, 27

28

"injury to legal user of water," "resulting in substantial injury" to water right, "unreasonably 1 2 affecting" their water right. The documents requested will lead to the discovery of admissible 3 evidence in this proceeding. 4 Any and all documents supporting your claim to a pre-1914 water right. A. 5 Any and all documents supporting your claim to a riparian water right for В. 6 each parcel of land you irrigate. 7 (1) Parcel Map 8 Chain of Title **(2)** 9 Any and all water rights reserved to the parcel (3) Statements of Use (1995 to present) (4) 10 Proof of Use (5) 11 (6) Points of Diversion 12 (7) Place of Use 13 Any subdivisions of the parcel (8) 14 Any and all documents supporting your claim to a post-1914 water right. C. 15 Application (1) 16 (2) Permit 17 (3) License 18 Statements of Use (1995 to present) (4) Documents you will be submitting to the SWRCB pursuant to Water Code D. 19 §1703.6(c)(2). 20 Any documents supporting your claim of "injury" pursuant to Water Code E. 21 §1702, including but not limited to: 22 For every water right you claim: 1. 23 Hydrology modeling a. 24 Impacts to water quality caused by this proposed change at b. 25 your Point of Diversion. 26 Impacts to flow rate at Vernalis caused by this change. C. 1. time of year 27 2. duration 28

1	3. magnitude of change
2	d. Impacts to water surface elevation at your Point of D
3	Diversion.
4	1. time of year
5	2. duration
6	3. magnitude of change
7	2. Only for property claiming a valid water right that will have injury
	due to the proposed change.
8	a. Crop plantings by year (1995 to present)
9	b. Acreage planted by year
10	c. Yield of crop by year
11	d. Difference in yield for any years 1998-2202
12	e. Crop commodity price by year for crops planted 1995 to
13	present
14	f. Crop insurance claims for 1995 to present
15	g. Acreage followed by year 1995 to present
16	h. Years from 1995 to present that the property was double
	cropped
17	i. Any quantifiable loss to crops due to salinity exceedence at
18	Vernalis from 1995 to present.
19	F. Any documents supporting your claim that the proposed change will
20	"unreasonably affect" your water right pursuant to Water Code §1707.
21	G. Any documents supporting your claims that the proposed change will
22	"result in substantial injury" to your water right pursuant to Water Code §1736.
23	4. I declare under penalty of perjury, under the laws of the State of California, that
24	the foregoing is true and correct, and that this declaration was executed on this 21 day of
25	January, 2003, in Chico, California.
26	50/00/
	Tim O'Laughlin
27	
28	

1. I served this subpoena xxx subpoena duces tecum and supporting affidavit by:				
personally delivering a copy to the person served as fo	ollows:			
a. Person served (name):	b. Date of delivery:			
c. Address where served:	d. Time of delivery:			
e. Witness fees and mileage both ways (check one):	f. Fees for service.			
(1) were paid. Amount; \$	Amount: \$ployer as required by			
delivering true copies thereof by certified mail, return redelivering true copies thereof enclosed in a sealed envelopment shown below.	eceipt requested, to the address as shown below. elope to a messenger for immediate personal delivery to the address as			
Address where served: 4255 Pacific Avenue, Suite	e 2, Stockton, CA 95207			
2. I certify that I received thissubpoenasubpoena du	uces tecum for service on			
	Date			
	rnia that the foregoing is true and correct and that this declaration is executed on: CO, CA Signature CO, CA			
(For California sheriff, marshal, or constable use only) I certify that the foregoing is true and correct and that this certificate is Date at (place)	executed on: Signature , California			
NOTE: IF THIS SUBPOENA IS ISSUED IN CONNECTION WITH A HEARING IN AN ADJUDICATIVE PROCEEDING UNDER GOVERNMENT CODE § 11400 ET SEQ., THE ATTORNEY OR PARTY WITHOUT AN ATTORNEY REQUESTING THIS SUBPOENA MUST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY IN THE HEARING, AND FILE A COPY WITH THE STATE WATER RESOURCES CONTROL BOARD. THE COPY PROVIDED TO THE STATE WATER RESOURCES CONTROL BOARD MUST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING THE NAMES AND ADDRESSES OF PARTIES WHO WERE PROVIDED COPIES IN ACCORDANCE WITH GOVERNMENT CODE § 11440.20. (Gov. Code, § 11440.20; Cal. Code Regs., tit. 23, § 648.4(c).) (Send to: The State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100.)				
ENDORSEMENT ON SUBPOENA IN A PROCEEDING OTHER THAN AN ADJUDICATIVE PROCEEDING				
Pursuant to Water Code §1086 and upon affidavit of ordered by the subpoena to appear is material and necessary to this process.	(copy attached) showing that the testimony of the witness occeeding, it is required that said witness attend this proceeding.			
Dated:				
	(signature)			
	Name:			
£	Title:State Water Resources Control Board			
§ 11400 and the witness is being compelled to testify at a location	onnection with a proceeding other than a hearing under Government Code on that is both out of the witness's county of residence and 150 miles or (Wat. Code, § 1086; Cal. Code Regs., tit. 23, § 649.6(c).)			
	3 (3 (3.5))			

PROOF OF SERVICE BY MAIL

(Government Code §11440.20)

I, JILL L. DRAGSETH, declare that:

I am employed in the County of Butte, State of California. I am over the age of eighteen years and not a party to the within cause. My Business address is 2571 California Park Drive, Suite 210, Chico, California 95928. I am familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day as it is placed for collection in the ordinary course of business.

On January 21, 2003, I served the within Subpoena Duces Tecum on the parties in said cause, by placing a true copy thereof enclosed in a sealed envelope, certified/return receipt requested, addressed as follows, and placed each for collection following ordinary business practices:

John Herrick South Delta Water Agency 5244 Pacific Avenue, Suite 2 Stockton, CA 95207

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 22, 2003, at Chico, California.

III.L. DRAGSETH

, <u>, , , , , , , , , , , , , , , , , , </u>	BEFORE THE STATE WATER RESOURCE	CES	CONTROL BOARD T	HE STATE OF CALIFORNIA
	TTORNEY OR PARTY WITHOUT ATTO REQUESTING SUBPOE		name, address, and telephon (3): 30/899–9755	FOR STATE WATER BOARD USE ONLY
	Laughlin & Paris LLP			
	2571 California Park Drive, Suite 210 Thico, CA 95928			
1	III.CO, CR 93926			
	San Joaquin River Group Author	ity	, ModestoI.D.,	
TI	EPRESENTING: Merced I.D., Turlock I.D. TLE OF THE PROCEEDING:		· · · · · · · · · · · · · · · · · · ·	
	VAMP: Long-Term Transfer Hearing		•	
			·	
	SUBPOENA RE HI	EARIN	NG	
	SUBPOENA DUCES TECUM RE DE	POSI	ITION	·
TH	E PEOPLE OF THE STATE OF CALIFORNIA, TO (name):	Wi	lliam Salmon	
1.	YOU ARE ORDERED TO APPEAR AS A WITNESS in th			u make special agreement with the man-
••	named in Item 3:	o pr	ooccuring as lonows unless yo	FA E C E I W. E
a.	Date:	T	Fime:	
Ь.	February 4, 2003		10:00 a.m.	1411 0 4 0200
	211 E. Weber Avenue, Stockton,	CA	95202	JAN 2 4 2003 67
2.	AND YOU ARE:			GEFICE OF
	aOrdered to appear in person. (Wat. Code, § 1080; Gov	. Cod	le, § 11450,10: Cal. Code Regst	(t. 23 - 6 49 6(a))
	b. Not required to appear in person if you produce the sections 1560 and 1561. (Wat. Code, § 1080; Gov. Code)	ecord	ds described in the accompanying	g affidavit in compliance with Evidence Code
	c. XX Ordered to appear in person and to produce the re	cords	s described in the accompanying	affidavit. The personal attendance of the
	custodian or other qualified witness and the production subdivision (b) of section 1560, and sections 1561 at	nd 15	562, of the Evidence Code will no	this subpoena. The procedure authorized by of be deemed sufficient compliance with this
	subpoena. (Wat. Code, § 1080; Gov. Code, § 11450.10			
3.	IF YOU HAVE ANY QUESTIONS ABOUT WITNESS FEES CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTA	OR CT T	THE TIME OR DATE FOR YOU THE FOLLOWING PERSON BEF	U TO APPEAR, OR IF YOU WANT TO BE FORE THE DATE ON WHICH YOU ARE TO
	APPEAR:			
a.	Name: Tim O'Laughlin	b.	Telephone number: 530/	7899-9755
L				le, § 11450.20(a); Code Civ. Proc., § 1985.2.)
4.	WITNESS FEES: You are entitled to witness fees and mile	age a	actually traveled, both ways, as	provided by law. Request them from the
	person who serves this subpoena or from the person nam seq.; Code Civ. Proc., §§ 1986.5, 2065.)	ed in	item 3. (Wat. Code, §§ 1081, 10	83, 1084; Gov. Code, §§ 11450.40, 68070 et
r			dian dan a musti stiri and a to d	
5.	If you object to the terms of this subpoena, you may file officer assigned to your case. Motions must be made with	in a	reasonable period after receipt	of the subpoena, and shall be made with
	written notice to all parties, with proof of service upon all porder quashing the subpoena entirely, modifying it, or dire	artie: ctina	s attached. In response to your compliance with it, or may mak	r motion, the hearing officer may make an
	or witnesses from unreasonable or oppressive demand § 11450.30.) (Send motions to: The State Water Resources Co	s, in	ncluding unreasonable violatio	ns of the right to privacy, (Gov. Code.
<u> </u>				
	DISOBEDIENCE OF THIS SUBPOENA MAY CAUSE YOU TO			THER PENALTIES PROVIDED BY LAW Code, §§ 11450.20(b), 11455.10-11455.20.)
			(vval. code, 99 1090-1097; Gov.	Code, 93 11450.20(D), 11455.10-11455.20.)
Date	: <u>January 21, 2003</u>		5-01/mg	<u>·</u>
	SOURCES CO.		Mim Ollawshild	(signature)
			Name: Tim O'Laughli	11
				San Joaquin River Group Auth
				Dist., Turlock Irrigation
	Call		District and Modes	to Irrigation District

Unless issued by an attomey pursuant to Code of Civil Procedure,
Section 1985, subdivision (c), the original subpoena is embossed with this seal.

(See reverse for Endorsement on Subpoena, if used, and Proof of Service)

Tim O'Laughlin (State Bar No. 116807) 1 William C. Paris, III (State Bar No. 168712) 2 O'LAUGHLIN & PARIS LLP 2571 California Park Drive, Suite 210 3 Chico, CA 95928 Telephone: (530) 899-9755 4 Facsimile: (530) 899-1367 5 Attorneys for San Joaquin River Group Authority, 6 Merced Irrigation District, Turlock Irrigation District, 7 and Modesto Irrigation District 8 STATE OF CALIFORNIA 9 STATE WATER RESOURCES CONTROL BOARD 10 11 DECLARATION OF TIM In the matter of: 12 O'LAUGHLIN IN SUPPORT OF ADMINISTRATIVE SUBPEONA Petitions for Long Term Change and 13 Permanent Change by Merced Irrigation AND SUBPOENA DUCES 14 District, Modesto Irrigation District and **TECUM** (California Code of Turlock Irrigation District, Regulations § 649.6) 15 Applications Nos. 1224, 10572, 16186, 1233 and 14127 16 17 18 I, TIM O'LAUGHLIN, declare as follows: 19 I am one of the attorneys for the San Joaquin River Group Authority ("SJRGA") 1. 20 21 in the above-entitled action. This action is for a long term change by Merced Irrigation District, 22 Modesto Irrigation District and Turlock Irrigation District to implement the San Joaquin River 23 Agreement ("SJRA"). This change petition is sought for 47,000 AF of water that may be needed 24 in "double bump" years of the SJRA. 25 South Delta Water Agency has protested the petitions by Merced Irrigation 2. 26 27 District, Modesto Irrigation District and Turlock Irrigation District claiming, but not limited to,

28

1		3.	magnitude of change	
2	d.	Impa	cts to water surface elevation at your Point of D	
3		Dive	rsion.	
4		1.	time of year	
5		2.	duration	
6		3.	magnitude of change	
	2. O	nly for pro	perty claiming a valid water right that will have injury	
7	dı	e to the pr	oposed change.	
8	a.	Crop	plantings by year (1995 to present)	
9	b.	Acrea	age planted by year	
10	c.	Yield	of crop by year	
11	d.	Diffe	rence in yield for any years 1998-2202	
12	e.	Crop	commodity price by year for crops planted 1995 to	
13		prese	nt	
14	f.	Crop	insurance claims for 1995 to present	
15	g.	Acrea	age followed by year 1995 to present	
	h.	Years	s from 1995 to present that the property was double	
16		cropp	ped	
17	i.	Any o	quantifiable loss to crops due to salinity exceedence at	
18		Vern	alis from 1995 to present.	
19	F. Any docu	ments supp	porting your claim that the proposed change will	
20	"unreasonably af	fect" your	water right pursuant to Water Code §1707.	
21	G. Any docu	G. Any documents supporting your claims that the proposed change will		
22	"result in substan	itial injury'	'to your water right pursuant to Water Code §1736.	
23	11		erjury, under the laws of the State of California, that	
24			his declaration was executed on this Alay of	
	January, 2003, in Chico, Califor	nia.		
25			50/mc.	
26			Tim O'Laughlin	
27				
28				
	11			

1. I served thisi subpoena [XX] subpoena duces tecum and	supporting affidavit by:			
personally delivering a copy to the person served as follows:	ows:			
a. Person served (name):	b. Date of delivery:			
c. Address where served:	d. Time of delivery:			
e. Witness fees and mileage both ways (check one):	f. Fees for service.			
(1) were paid. Amount: \$	Amount: \$ byer as required by			
delivering true copies thereof by certified mail, return rec delivering true copies thereof enclosed in a sealed envelo shown below.	elpt requested, to the address as shown below. ope to a messenger for immediate personal delivery to the address as			
Address where served: 4255 Pacific Avenue, Suite	2, Stockton, CA 95207			
2. I certify that I received thissubpoena subpoena duc	es tecum for service on			
	Date			
	a that the foregoing is true and correct and that this declaration is executed on: O, CA California			
(For California sheriff, marshal, or constable use only)				
I certify that the foregoing is true and correct and that this certificate is ex				
Date at (place)	Signature			
	, California			
NOTE: IF THIS SUBPOENA IS ISSUED IN CONNECTION WITH A HEARING IN AN ADJUDICATIVE PROCEEDING UNDER GOVERNMENT CODE § 11400 ET SEQ., THE ATTORNEY OR PARTY WITHOUT AN ATTORNEY REQUESTING THIS SUBPOENA MUST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY IN THE HEARING, AND FILE A COPY WITH THE STATE WATER RESOURCES CONTROL BOARD. THE COPY PROVIDED TO THE STATE WATER RESOURCES CONTROL BOARD MUST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING THE NAMES AND ADDRESSES OF PARTIES WHO WERE PROVIDED COPIES IN ACCORDANCE WITH GOVERNMENT CODE § 11440.20. (Gov. Code, § 11440.20; Cal. Code Regs., tit. 23, § 648.4(c).) (Send to: The State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100.)				
ENDORSEMENT ON SUBPOENA IN A PROCEEDING OTHER THAN AN ADJUDICATIVE PROCEEDING				
Pursuant to Water Code §1086 and upon affidavit of ordered by the subpoena to appear is material and necessary to this proc	(copy attached) showing that the testimony of the witness edding, it is required that said witness attend this proceeding.			
Dated:				
· · · · · · · · · · · · · · · · · · ·	(signature)			
	Name:			
٠	Title: State Water Resources Control Board			
§ 11400 and the witness is being compelled to testify at a location	state Water Resources Control Board section with a proceeding other than a hearing under Government Code that is both out of the witness's county of residence and 150 miles or at. Code, § 1086; Cal. Code Regs., tit. 23, § 649.6(c).)			
more nom the withess a place of residence. (W	11. 0006, 3 1000, Oal. Code Regs., III. 23, 3 649.6(c).)			

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27 28 PROOF OF SERVICE BY MAIL

(Government Code §11440.20)

I, JILL L. DRAGSETH, declare that:

I am employed in the County of Butte, State of California. I am over the age of eighteen years and not a party to the within cause. My Business address is 2571 California Park Drive, Suite 210, Chico, California 95928. I am familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day as it is placed for collection in the ordinary course of business.

On January 21, 2003, I served the within Subpoena Duces Tecum on the parties in said cause, by placing a true copy thereof enclosed in a sealed envelope, certified/return receipt requested, addressed as follows, and placed each for collection following ordinary business practices:

John Herrick South Delta Water Agency 5244 Pacific Avenue, Suite 2 Stockton, CA 95207

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 22, 2003, at Chico, California.

1	BEFORE THE STATE WATE	R RESOURCES CONTROL BOAR	D OF THE STATE OF CALIFORNIA
•	ATTORNEY OR PARTY WITHOUT ATTORNEY REQUE Tim O'Laughlin O'Laughlin & Paris LLP 2571 California Park Drive, (Chico, CA 95928	530/899 – 9755	FOR STATE WATER BOARD USE ONLY
-	REPRESENTING: Merced T.D., Turloc TITLE OF THE PROCEEDING:		
-	VAMP: Long-Term Transfer He	earing	
	SUBPOENA	RE HEARING	
L	SUBPOENA DUCES TECUM	RE DEPOSITION	
1	THE PEOPLE OF THE STATE OF CALIFORNIA, T	O (name): Nat Bacchetti	
1	. YOU ARE ORDERED TO APPEAR AS A W named in item 3:	ITNESS in this proceeding as follows u	nless you make special agreement with the perso
a		Time:	
Ь	February 4, 2003	1:30 p.m.	
L	211 E. Weber Avenue, St	tockton, CA 95202	THE JAM 2 A COUNTY
2.	AND YOU ARE:		71.55 OF
	c. XX Ordered to appear in person if you sections 1560 and 1561. (Wat. Code, § 1 c. XX Ordered to appear in person and to procustodian or other qualified witness and subdivision (b) of section 1560, and sec	roduce the records described in the according to the production of the original records is required.	mpanying affidavit in compliance with Evidence Code Regs., tit. 23, § 649.6(a).) mpanying affidavit. The personal attendance of the uired by this subpoena. The procedure authorized by
3.	IF YOU HAVE ANY QUESTIONS ABOUT WIT CERTAIN THAT YOUR PRESENCE IS REQUI APPEAR:	TNESS FEES OR THE TIME OR DATE F RED, CONTACT THE FOLLOWING PERS	OR YOU TO APPEAR, OR IF YOU WANT TO BE ON BEFORE THE DATE ON WHICH YOU ARE TO
a.	Name: Tim O'Laughlin	b. Telephone number:	530/899-9755
4.	WITNESS FEES: You are entitled to witness f person who serves this subpoena or from the seq.; Code Civ. Proc., §§ 1986.5, 2065.)	ees and mileage actually traveled, both y	Gov. Code, § 11450.20(a); Code Civ. Proc., § 1985.2.) vays, as provided by law. Request them from the 1081, 1083, 1084; Gov. Code, §§ 11450.40, 68070 et
5.	written notice to all parties, with proof of servi order quashing the subpoena entirely, modifyi or witnesses from unreasonable or oppress	pe made within a reasonable period after ce upon all parties attached. In response ng it, or directing compliance with it, or n sive demands. including upressorable	der including a motion to quash with the hearing receipt of the subpoena, and shall be made with to your motion, the hearing officer may make an nay make any order needed to protect the parties violations of the right to privacy. (Gov. Code, unsel, P.O. Box 100, Sacramento, CA 95812-0100.)
	DISOBEDIENCE OF THIS SUBPOENA MAY CAU	SE YOU TO BE LIABLE FOR CONTEMPT.	AND OTHER PENALTIES PROVIDED BY LAW
		(Wat. Code, §§ 1090-109	7; Gov. Code, §§ 11450.20(b), 11455.10-11455.20.)
		- 0//	-

January 21 Dated:



Unless issued by an attorney pursuant to Code of Civil Procedure, Section 1985, subdivision (c), the original subpoena is embossed with this seal.

Name: Tim O'Laughlin

Title: Attorney for San Joaquin River Group Auth., Merced Irrigation Dist., Turlock Irrigation District and Modesto Irrigation District

(See reverse for Endorsement on Subpoena, if used, and Proof of Service)

1	Tim O'Laughlin (State Bar No. 116807) William C. Paris, III (State Bar No. 168712)	
2	O'LAUGHLIN & PARIS LLP	
3	2571 California Park Drive, Suite 210 Chico, CA 95928	
4	Telephone: (530) 899-9755 Facsimile: (530) 899-1367	FACCELVE
5	· ·	
6	Attorneys for San Joaquin River Group Authority Merced Irrigation District, Turlock Irrigation Dist	
7	and Modesto Irrigation District	
8	STATE OF C.	ALIFORNIA
9	STATE WATER RESOUR	RCES CONTROL BOARD
10		
11		
12	In the matter of:	DECLARATION OF TIM O'LAUGHLIN IN SUPPORT OF
13	Petitions for Long Term Change and Permanent Change by Merced Irrigation	ADMINISTRATIVE SUBPEONA AND SUBPOENA DUCES
14	District, Modesto Irrigation District and	TECUM (California Code of
15	Turlock Irrigation District, Applications Nos. 1224, 10572, 16186,	Regulations § 649.6)
16	1233 and 14127	
17		
18		•
19	I, TIM O'LAUGHLIN, declare as follows	
20	1. I am one of the attorneys for the Sa	an Joaquin River Group Authority ("SJRGA")
21	in the above-entitled action. This action is for a le	ong term change by Merced Irrigation District,
22	Modesto Irrigation District and Turlock Irrigation	n District to implement the San Joaquin River
23	Agreement ("SJRA"). This change petition is sou	ught for 47 000 AF of water that may be needed
24		agint for 17,000 th of Maior alas may be head.
25	in "double bump" years of the SJRA.	
26	2. South Delta Water Agency has pro	otested the petitions by Merced Irrigation
27	District, Modesto Irrigation District and Turlock l	Irrigation District claiming, but not limited to,
28		

"injury to legal user of water," "resulting in substantial injury" to water right, "unreasonably 1 2 affecting" their water right. The documents requested will lead to the discovery of admissible 3 evidence in this proceeding. 4 Any and all documents supporting your claim to a pre-1914 water right. A. 5 В. Any and all documents supporting your claim to a riparian water right for 6 each parcel of land you irrigate. 7 (1) Parcel Map 8 (2) Chain of Title 9 (3) Any and all water rights reserved to the parcel 10 (4) Statements of Use (1995 to present) (5) Proof of Use 11 (6) Points of Diversion 12 Place of Use **(7)** 13 (8) Any subdivisions of the parcel 14 C. Any and all documents supporting your claim to a post-1914 water right. 15 (1) Application 16 (2) Permit 17 (3) License 18 (4) Statements of Use (1995 to present) D. Documents you will be submitting to the SWRCB pursuant to Water Code 19 §1703.6(c)(2). 20 E. Any documents supporting your claim of "injury" pursuant to Water Code 21 §1702, including but not limited to: 22 1. For every water right you claim: 23 Hydrology modeling a. 24 b. Impacts to water quality caused by this proposed change at 25 your Point of Diversion. 26 c. Impacts to flow rate at Vernalis caused by this change. 27 1. time of year 2. duration 28

1		3.	magnitude of change	
2	d.	Impac	ets to water surface elevation at your Point of D	
3		Diver	sion.	
4		1.	time of year	
5		2.	duration	
6		3.	magnitude of change	
	2. O	nly for prop	perty claiming a valid water right that will have injury	
7	dı	e to the pro	pposed change.	
8	a.	Crop 1	plantings by year (1995 to present)	
9	b.	Acrea	ge planted by year	
10	c.	Yield	of crop by year	
11	d.	Differ	rence in yield for any years 1998-2202	
12	e.	Crop	commodity price by year for crops planted 1995 to	
13		preser	nt	
14	f.	Crop i	insurance claims for 1995 to present	
15	g.	Acrea	ge followed by year 1995 to present	
	h.	Years	from 1995 to present that the property was double	
16		croppe	ed	
17	i.	Any q	uantifiable loss to crops due to salinity exceedence at	
18		Verna	lis from 1995 to present.	
19	F. Any docu	ments supp	orting your claim that the proposed change will	
20	"unreasonably af	fect" your w	vater right pursuant to Water Code §1707.	
21	G. Any documents supporting your claims that the proposed change will			
22	"result in substantial injury" to your water right pursuant to Water Code §1736.			
23			rjury, under the laws of the State of California, that	
24			is declaration was executed on this 2/9 day of	
25	January, 2003, in Chico, Califor	nia.		
			Tim O'l aughlin	
26	Tim O'Laughlin			
27	,			
28				

personally delivering a copy to the person served as follows:	
a. Person served (name):	b. Date of delivery:
c. Address where served:	d. Time of delivery:
e. Witness fees and mileage both ways (check one):	f. Fees for service.
(1) were paid. Amount; \$	Amount: \$
delivering true copies thereof by certified mail, return receipt requested, to the ac delivering true copies thereof enclosed in a sealed envelope to a messenger for i shown below.	Idress as shown below. mmediate personal delivery to the address as
Address where served: 4255 Pacific Avenue, Suite 2, Stockton, C	A 95207
2. I certify that I received thissubpoenasubpoena duces tecum for service on	Date
I declare under penalty of perjury under the laws of the State of California that the foregoing is true Date 1/21/03 at (place) Chico, CA California that the foregoing is true	Signature
(For California sheriff, marshal, or constable use only) I certify that the foregoing is true and correct and that this certificate is executed on: Date All (place) California sheriff, marshal, or constable use only)	Signature nia
NOTE: IF THIS SUBPOENA IS ISSUED IN CONNECTION WITH A HEARING IN GOVERNMENT CODE § 11400 ET SEQ., THE ATTORNEY OR PARTY WITHOUT AN MUST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY IN THE HEAR WATER RESOURCES CONTROL BOARD. THE COPY PROVIDED TO THE STATI MUST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING THE NAMES A PROVIDED COPIES IN ACCORDANCE WITH GOVERNMENT CODE § 11440.20. (§ 648.4(c).) (Send to: The State Water Resources Control Board, Office of Chief Counsel, P.O. Box	ATTORNEY REQUESTING THIS SUBPOEN, ING, AND FILE A COPY WITH THE STATE E WATER RESOURCES CONTROL BOARD AND ADDRESSES OF PARTIES WHO WERE
ENDORSEMENT ON SUBPOENA IN A PROC OTHER THAN AN ADJUDICATIVE PROCES	EEDING EDING
Pursuant to Water Code §1086 and upon affidavit of (copy att ordered by the subpoena to appear is material and necessary to this proceeding, it is required that so	ached) showing that the testimony of the witness aid witness attend this proceeding.
Dated:	
Nome	(signature)
Title:State Water Resources	Control Board
NOTE: This ENDORSEMENT is required if the subpoena is in connection with a proceeding § 11400 and the witness is being compelled to testify at a location that is both out of the wit more from the witness's place of residence. (Wat. Code, § 1086; Cal. Code	other than a hearing under Government Code

PROOF OF SERVICE BY MAIL

(Government Code §11440.20)

I, JILL L. DRAGSETH, declare that:

I am employed in the County of Butte, State of California. I am over the age of eighteen years and not a party to the within cause. My Business address is 2571 California Park Drive, Suite 210, Chico, California 95928. I am familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day as it is placed for collection in the ordinary course of business.

On January 21, 2003, I served the within **Subpoena Duces Tecum** on the parties in said cause, by placing a true copy thereof enclosed in a sealed envelope, certified/return receipt requested, addressed as follows, and placed each for collection following ordinary business practices:

John Herrick South Delta Water Agency 5244 Pacific Avenue, Suite 2 Stockton, CA 95207

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 22, 2003, at Chico, California.

JILL L. DRAGSETH

BEFORE THE STATE WATER RESOURCES	S CONTROL BOARD OF THE STATE OF CALIFORNIA
REGUESTING SUBPOENA	FOR STATE WATER BOARD USE ONLY
O'Laughlin & Paris LLP	30/899-9755
2571 California Park Drive, Suite 210	
Chico, CA 95928	
5.12507 5.1. 33320	
SanJoaquinRiver Group Authorit	v.ModestoI.D.,
REPRESENTING: Merced T.D., Turlock T.D.	
TITLE OF THE PROCEEDING:	
VAMP: Long-Term Transfer Hearing	
	·
SUBPOENA RE HEARI	NG
SUBPOENA DUCES TECUM RE DEPOS	ITION
THE DEODI E OF THE STATE OF CALIFORNIA TO ()	37 77'17.1
THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name):	Alex Hildebrand
1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this pr	oceeding as follows unless you make special agreement with the person
named in item 3:	
a. Date:	The state of the s
February 6, 2003	9:00 a.m.
b. Address:	
211 E. Weber Avenue, Stockton, CA	95202
2. AND YOU ARE:	
	English State of the Control of the
a. Ordered to appear in person. (Wat. Code, § 1080; Gov. Code	e, § 11450.10; Cal. Code Regs., tit. 23, § 649.6(a).)
SCHOOLS 1000 BIRL 1001, CHAR, CORR, G TUBU, CHAY LABE &	11450.10(b): Cal Code Regs. tit. 23, \$ 649.6(a).)
Use of the records of the produce the records	described in the accompanying officiality. The accompanying officiality
casionian of other anginea withless and the production of the	19 Offdinal records is required by this subposes. The arms is a second second
subpoena. (Wat. Code, § 1080; Gov. Code, § 11450.10; Cal	DZ. Of the Evidence Code will not be deemed sufficient assertions and in the con-
3. IF YOU HAVE ANY QUESTIONS ABOUT WITNESS FEES OR	THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE
APPEAR:	HE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO
a. Name: Tim O'Laughlin b.	Telephone number: 530/899-9755
	(Gov. Code, § 11450.20(a); Code Civ. Proc., § 1985.2.)
4. WITNESS FEES: You are entitled to witness fees and mileage	•
person who serves this subpoena or from the person named in	actually traveled, both ways, as provided by law. Request them from the item 3. (Wat. Code, §§ 1081, 1083, 1084; Gov. Code, §§ 11450.40, 68070 et
seq.; Code Civ. Proc., §§ 1986.5, 2065.)	et (1741) 5526, 33 1561, 1663, 1664, 667. Code, 33 11450.40, 68070 et
5. If you object to the terms of this subpoens you may file a mo	Bandan and de la la la la
officer assigned to your case. Motions must be made within a	tion for a protective order including a motion to quash with the hearing reasonable period after receipt of the subpoena, and shall be made with
written nouce to an parties, with proof of service upon an parties	Sallached. In response to your motion, the bearing attended to the
vive quasining the suppoena entirety. Modifying it, or difecting	COMPLIANCE With it or many make any and a manual at a contract of the
or wintesses from unreasonable or oppressive demands, in	cluding unreasonable violations of the right to privacy. (Gov. Code, Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100.)
	<u> </u>
DISOBEDIENCE OF THIS SUBPOENA MAY CAUSE YOU TO BE LL	ABLE FOR CONTEMPT AND OTHER PENALTIES PROVIDED BY LAW
	(Wat. Code, §§ 1090-1097; Gov. Code, §§ 11450.20(b), 11455.10-11455.20.)
Dated: January 21, 2003	1 O Cage
E QUINCES C	JO'Cog(- (signature)
Series and the series of the s	Name: Tim O'Laughlin
	Title: Attorney for San Joaquin River Group Auth.
	Merced Irrigation Dist., Turlock Irrigation
CALIFORNIA	District and Modesto Irrigation District
Unless issued by an attorney pursuant to Code of Civil Procedure,	(See reverse for Endorsement on Subpoena, if used, and Proof of Service)
Section 1985, subdivision (c), the original subpoena is embossed with this seal.	

1	Tim O'Laughlin (State Bar No. 116807)		
2	William C. Paris, III (State Bar No. 168712) O'LAUGHLIN & PARIS LLP	The street of the street of the	
3	2571 California Park Drive, Suite 210	· · · · · · · · · · · · · · · · · · ·	
4	Chico, CA 95928 Telephone: (530) 899-9755		
5	Facsimile: (530) 899-1367	# 2 × 2 × 2 × 1 × 1 × 1	
6	Attorneys for San Joaquin River Group Authority, Merced Irrigation District, Turlock Irrigation Distri and Modesto Irrigation District	ct,	
8	_	I IPODNI A	
9	STATE OF CA	LIFUKNIA	
10	STATE WATER RESOURC	ES CONTROL BOARD	
11			
12	In the matter of:	DECLARATION OF TIM	
13	Petitions for Long Term Change and	O'LAUGHLIN IN SUPPORT OF ADMINISTRATIVE SUBPEONA	
14	Permanent Change by Merced Irrigation District, Modesto Irrigation District and	AND SUBPOENA DUCES TECUM (California Code of	
15	Turlock Irrigation District, Applications Nos. 1224, 10572, 16186,	Regulations § 649.6)	
16	1233 and 14127		
17			
18			
19	I, TIM O'LAUGHLIN, declare as follows:		
20	1. I am one of the attorneys for the San	Joaquin River Group Authority ("SJRGA")	
21	in the above-entitled action. This action is for a lon	g term change by Merced Irrigation District,	
22	Modesto Irrigation District and Turlock Irrigation D	District to implement the San Joaquin River	
23	Agreement ("SIRA") This change netition is sough	ht for 47 000 AF of water that may be needed.	
24	Agreement ("SJRA"). This change petition is sought for 47,000 AF of water that may be needed		
25	in "double bump" years of the SJRA.		
26	2. South Delta Water Agency has prote	sted the petitions by Merced Irrigation	
27	District, Modesto Irrigation District and Turlock Irr	igation District claiming, but not limited to,	
28			

"injury to legal user of water," "resulting in substantial injury" to water right, "unreasonably 1 2 affecting" their water right. The documents requested will lead to the discovery of admissible 3 evidence in this proceeding. 4 A. Any and all documents supporting your claim to a pre-1914 water right. 5 B. Any and all documents supporting your claim to a riparian water right for 6 each parcel of land you irrigate. 7 (1) Parcel Map 8 Chain of Title (2) 9 Any and all water rights reserved to the parcel (3) 10 **(4)** Statements of Use (1995 to present) Proof of Use (5) 11 (6) Points of Diversion 12 **(7)** Place of Use 13 (8) Any subdivisions of the parcel 14 C. Any and all documents supporting your claim to a post-1914 water right. 15 (1) Application 16 (2) **Permit** 17 (3) License 18 (4) Statements of Use (1995 to present) 19 D. Documents you will be submitting to the SWRCB pursuant to Water Code §1703.6(c)(2). 20 E. Any documents supporting your claim of "injury" pursuant to Water Code 21 §1702, including but not limited to: 22 1. For every water right you claim: 23 Hydrology modeling a. 24 Impacts to water quality caused by this proposed change at b. 25 your Point of Diversion. 26 c. Impacts to flow rate at Vernalis caused by this change. 27 1. time of year 2. duration 28

1	3. magnitude of change		
2	d. Impacts to water surface elevation at your Point of D		
3	Diversion.		
4	1. time of year		
5	2. duration		
6	3. magnitude of change		
7	2. Only for property claiming a valid water right that will have injury		
	due to the proposed change.		
8	a. Crop plantings by year (1995 to present)		
9	b. Acreage planted by year		
10	c. Yield of crop by year		
11	d. Difference in yield for any years 1998-2202		
12	e. Crop commodity price by year for crops planted 1995 to		
13	present		
14	f. Crop insurance claims for 1995 to present		
15	g. Acreage followed by year 1995 to present		
16	h. Years from 1995 to present that the property was double		
	cropped		
17	i. Any quantifiable loss to crops due to salinity exceedence at		
18	Vernalis from 1995 to present.		
19	F. Any documents supporting your claim that the proposed change will		
20	"unreasonably affect" your water right pursuant to Water Code §1707.		
21	G. Any documents supporting your claims that the proposed change will		
22	"result in substantial injury" to your water right pursuant to Water Code §1736.		
23	4. I declare under penalty of perjury, under the laws of the State of California, that		
24	the foregoing is true and correct, and that this declaration was executed on this		
25	January, 2003, in Chico, California.		
26	Tim O'Laughlin		
27	Tim O'Laughlin		
28			

PROOF OF SERVICE OF SUBPOEN (Gov. Code, § 11440.20; Code Civ. Proc., §§ 1987, 1987.5, 1988, 1989, 2015.3, 2015.5.)

1. I served this subpoena xxx subpoena duces tecum and supporting affidavit t	by:
personally delivering a copy to the person served as follows:	
a. Person served (name);	b. Date of delivery:
c. Address where served:	d. Time of delivery:
e. Witness fees and mileage both ways (check one):	f. Fees for service.
(1) were paid. Amount: \$	Amount: \$
delivering true copies thereof by certified mail, return receipt requested, to the delivering true copies thereof enclosed in a sealed envelope to a messenger for shown below.	address as shown below. or immediate personal delivery to the address as
Address where served: 4255 Pacific Avenue, Suite 2, Stockton,	CA 95207
2. I certify that I received thissubpoenasubpoena duces tecum for service o	on
	Date
declare under penalty of perjury under the laws of the State of California that the foregoing is to the state of California that the foregoing is to the control of the con	rue and correct and that this declaration is executed on Signature
For California sheriff, marshal, or constable use only) certify that the foregoing is true and correct and that this certificate is executed on: at (place) , Calif	Signature fornia
IOTE: IF THIS SUBPOENA IS ISSUED IN CONNECTION WITH A HEARING GOVERNMENT CODE § 11400 ET SEQ., THE ATTORNEY OR PARTY WITHOUT A IUST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY IN THE HEAVATER RESOURCES CONTROL BOARD. THE COPY PROVIDED TO THE STATUST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING THE NAME ROVIDED COPIES IN ACCORDANCE WITH GOVERNMENT CODE § 11440.20 648.4(c).) (Send to: The State Water Resources Control Board, Office of Chief Counsel, P.O. B	IN ATTORNEY REQUESTING THIS SUBPOEN, ARING, AND FILE A COPY WITH THE STATE ATE WATER RESOURCES CONTROL BOARD S AND ADDRESSES OF PARTIES WHO WERE
ENDORSEMENT ON SUBPOENA IN A PRO OTHER THAN AN ADJUDICATIVE PROC	DCEEDING EEDING
rsuant to Water Code §1086 and upon affidavit of(copy dered by the subpoena to appear is material and necessary to this proceeding, it is required that	attached) showing that the testimony of the witness at said witness attend this proceeding.
ated;	
Name [.]	(signature)
: Title:	
OTE: This ENDORSEMENT is required if the subpoena is in connection with a proceed § 11400 and the witness is being compelled to testify at a location that is both out of the more from the witness's place of residence. (Wat. Code, § 1086; Cal. C	Withhore's county of socid and are 1

1 2

PROOF OF SERVICE BY MAIL

(Government Code §11440.20)

I, JILL L. DRAGSETH, declare that:

I am employed in the County of Butte, State of California. I am over the age of eighteen years and not a party to the within cause. My Business address is 2571 California Park Drive, Suite 210, Chico, California 95928. I am familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day as it is placed for collection in the ordinary course of business.

On January 21, 2003, I served the within Subpoena Duces Tecum on the parties in said cause, by placing a true copy thereof enclosed in a sealed envelope, certified/return receipt requested, addressed as follows, and placed each for collection following ordinary business practices:

John Herrick South Delta Water Agency 5244 Pacific Avenue, Suite 2 Stockton, CA 95207

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 22, 2003, at Chico, California.

JILL L. DRAGSETH

BEFORE THE STATE WATER RESOURCE	S CONTROL BOARD	THE STATE OF CALIFORNIA
ATTORNEY OR PARTY WITHOUT ATTO	(name, address, and telephori): FOR STATE WATER BOARD USE ONLY
	530/899–9755	
O'Laughlin & Paris LLP 2571 California Park Drive, Suite 210		
Chico, CA 95928		
SanJoaquinRiver Group Authori	ty,ModestoI.D.,	
REPRESENTING: Merced I.D., Turlock I.D. TITLE OF THE PROCEEDING:		
VAMP: Long-Term Transfer Hearing		
SUBPOENA RE HEAD	RING	
SUBPOENA DUCES TECUM RE DEPO	DSITION	
THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name):	Dr. Gerry Orlob	
 YOU ARE ORDERED TO APPEAR AS A WITNESS in this named in Item 3: 	proceeding as follows unless	you make special agreement with the person
a. Date:	Time:	
February 6, 2003	1:30 p.m.	11 3:00 2 1 1 10 1 1 1
211 E. Weber Avenue, Stockton, C.	-	
2. AND YOU ARE:		6 in 108
 b. Not required to appear in person if you produce the reconsections 1560 and 1561. (Wat. Code, § 1080; Gov. Code, c. Ordered to appear in person and to produce the reconcustodian or other qualified witness and the production of subdivision (b) of section 1560, and sections 1561 and subpoena. (Wat. Code, § 1080; Gov. Code, § 11450.10; COMMINIONAL COMMINIONAL COMMINIONAL CONTACT APPEAR: 	§ 11450.10(b); Cal. Code Regs., ds described in the accompany of the original records is required 1562, of the Evidence Code will al. Code Regs., tit. 23, § 649.6(a) R THE TIME OR DATE FOR N	tit. 23, § 649.6(a).) ying affidavit. The personal attendance of the by this subpoena. The procedure authorized by I not be deemed sufficient compliance with this).)
a. Name: Tim O'Laughlin	b. Telephone number: 53	0/899–9755
	(Gov. C	Code, § 11450.20(a); Code Civ. Proc., § 1985.2.)
 WITNESS FEES: You are entitled to witness fees and mileag person who serves this subpoena or from the person named seq.; Code Civ. Proc., §§ 1986.5, 2065.) 	e actually traveled, both ways, in item 3. (Wat. Code, §§ 1081,	as provided by law. Request them from the 1083, 1084; Gov. Code, §§ 11450.40, 68070 et
 If you object to the terms of this subpoena, you may file a n officer assigned to your case. Motions must be made within written notice to all parties, with proof of service upon all part order quashing the subpoena entirely, modifying it, or directir or witnesses from unreasonable or oppressive demands, § 11450.30.) (Send motions to: The State Water Resources Contr 	a reasonable period after rece ies attached. In response to y ng compliance with it, or may n including unreasonable viola ol Board, Office of Chief Counsel	ipt of the subpoena, and shall be made with our motion, the hearing officer may make an nake any order needed to protect the parties tions of the right to privacy. (Gov. Code, I, P.O. Box 100, Sacramento, CA 95812-0100.)
DISOBEDIENCE OF THIS SUBPOENA MAY CAUSE YOU TO BE		
		ov. Code, §§ 11450.20(b), 11455.10-11455.20.)
Dated: January 21, 2003	5-0 (eg)	(signature)
THE CONTROL OF THE PARTY OF THE	Name: Tim O'Laugh	lin
Lienan	Merced Irrigation	San Joaquin River Group Auth. Dist., Turlock Irrigation Sto Irrigation District
Unless issued by an attorney pursuant to Code of Civil Procedure, Section 1985, subdivision (c), the original subpoena is embossed with this seal.		ent on Subpoena, if used, and Proof of Service)

7/00

	[- -			
1	Tim O'Laughlin (State Bar No. 116807) William C. Paris, III (State Bar No. 168712)			
2	O'LAUGHLIN & PARIS LLP			
3	2571 California Park Drive, Suite 210 Chico, CA 95928	· · · · · · · · · · · · · · · · · · ·		
4	Telephone: (530) 899-9755			
5	Facsimile: (530) 899-1367	JAM 2 Section 1985		
6	Attorneys for San Joaquin River Group Authority, Merced Irrigation District, Turlock Irrigation Distri			
7	and Modesto Irrigation District			
8	STATE OF CA	LIFORNIA		
9	STATE WATER RESOUR	CES CONTROL BOARD		
10	STATE WATER RESOUR	CES CONTROL BOARD		
11				
12	In the matter of:	DECLARATION OF TIM		
13	Petitions for Long Term Change and	O'LAUGHLIN IN SUPPORT OF ADMINISTRATIVE SUBPEONA		
	Permanent Change by Merced Irrigation	AND SUBPOENA DUCES		
14	District, Modesto Irrigation District and Turlock Irrigation District,	TECUM (California Code of Regulations § 649.6)		
15	Applications Nos. 1224, 10572, 16186,	regulations § 045.0)		
16	1233 and 14127			
17				
18				
19	I, TIM O'LAUGHLIN, declare as follows:			
20	1. I am one of the attorneys for the Sa	n Joaquin River Group Authority ("SJRGA")		
21	in the above-entitled action. This action is for a lo	ng term change by Merced Irrigation District,		
22	Modesto Irrigation District and Turlock Irrigation District to implement the San Joaquin River			
23		_		
24	Agreement ("SJRA"). This change petition is sou	ght for 47,000 AF of water that may be needed		
25	in "double bump" years of the SJRA.			
26	South Delta Water Agency has prot	ested the petitions by Merced Irrigation		
27	District, Modesto Irrigation District and Turlock Ir	rigation District claiming, but not limited to,		
28		-		

"injury to legal user of water," "resulting in substantial injury" to water right, "unreasonably 1 2 affecting" their water right. The documents requested will lead to the discovery of admissible 3 evidence in this proceeding. 4 A. Any and all documents supporting your claim to a pre-1914 water right. 5 B. Any and all documents supporting your claim to a riparian water right for 6 each parcel of land you irrigate. 7 (1) Parcel Map 8 (2) Chain of Title 9 (3) Any and all water rights reserved to the parcel 10 (4) Statements of Use (1995 to present) (5) Proof of Use 11 (6) Points of Diversion 12 **(7)** Place of Use 13 (8) Any subdivisions of the parcel 14 C. Any and all documents supporting your claim to a post-1914 water right. 15 (1) Application 16 (2) Permit 17 (3) License 18 **(4)** Statements of Use (1995 to present) 19 D. Documents you will be submitting to the SWRCB pursuant to Water Code §1703.6(c)(2). 20 E. Any documents supporting your claim of "injury" pursuant to Water Code 21 §1702, including but not limited to: 22 1. For every water right you claim: 23 Hydrology modeling a. 24 b. Impacts to water quality caused by this proposed change at 25 your Point of Diversion. 26 Impacts to flow rate at Vernalis caused by this change. c. 27 1. time of year 2. duration 28

1	3. magnitude of change
2	d. Impacts to water surface elevation at your Point of D
3	Diversion.
4	1. time of year
5	2. duration
6	3. magnitude of change
7	2. Only for property claiming a valid water right that will have injury
8	due to the proposed change.
	a. Crop plantings by year (1995 to present)
9	b. Acreage planted by year
10	c. Yield of crop by year
11	d. Difference in yield for any years 1998-2202
12	e. Crop commodity price by year for crops planted 1995 to
13	present
14	f. Crop insurance claims for 1995 to present
15	g. Acreage followed by year 1995 to present
16	h. Years from 1995 to present that the property was double
17	cropped
	i. Any quantifiable loss to crops due to salinity exceedence at
18	Vernalis from 1995 to present.
19	F. Any documents supporting your claim that the proposed change will
20	"unreasonably affect" your water right pursuant to Water Code §1707.
21	G. Any documents supporting your claims that the proposed change will
22	"result in substantial injury" to your water right pursuant to Water Code §1736.
23	4. I declare under penalty of perjury, under the laws of the State of California, that
24	the foregoing is true and correct, and that this declaration was executed on this 2/5 day of
25	January, 2003, in Chico, California.
26	Tim O'Laughfin
27	Tim O'Laughfin
28	

PROOF OF SERVICE OF SUBPOEN § 11440.20; Code Civ. Proc., §§ 1987, 1987.5, 1988, 1989, 2015.3, 2015.5.)

1. I served this subpoena xx subpoena	duces tecum and supporting affidavit	by:
personally delivering a copy to the per	rson served as follows:	
a. Person served (name):		b. Date of delivery:
c. Address where served:		d. Time of delivery:
e. Witness fees and mileage both ways (check o	one):	f. Fees for service.
(1) were paid. Amount: \$	s public entity employer as required by	Amount: \$
delivering true copies thereof by certification delivering true copies thereof enclosed shown below.	ed mail, return receipt requested, to the first sealed envelope to a messenger	he address as shown below. for immediate personal delivery to the address as
Address where served: 4255 Pacific Av	enue, Suite 2, Stockton,	, CA 95207
2. I certify that I received this subpoena	subpoena duces tecum for service	e on
	at (place) Chico, CA	is true and correct and that this declaration is executed on:
(For California sheriff, marshal, or constable use only I certify that the foregoing is true and correct and that Date	at this certificate is executed on: at (place)	Signature alifornia
GOVERNMENT CODE § 11400 ET SEQ., THE MUST PROVIDE A COPY OF THE SUBPORMATER RESOURCES CONTROL BOARD. MUST BE ACCOMPANIED BY A CERTIFICA.	E ATTORNEY OR PARTY WITHOUT ENA TO EVERY PARTY IN THE H THE COPY PROVIDED TO THE \$ TE OF SERVICE LISTING THE NAM TH GOVERNMENT CODE § 11440.	G IN AN ADJUDICATIVE PROCEEDING UNDER AN ATTORNEY REQUESTING THIS SUBPOENA HEARING, AND FILE A COPY WITH THE STATE STATE WATER RESOURCES CONTROL BOARD MES AND ADDRESSES OF PARTIES WHO WERE .20. (Gov. Code, § 11440.20; Cal. Code Regs., tit. 23, D. Box 100, Sacramento, CA 95812-0100.)
	SEMENT ON SUBPOENA IN A PI R THAN AN ADJUDICATIVE PRO	
Pursuant to Water Code §1086 and upon affidavit of ordered by the subpoena to appear is material and ne	ecessary to this proceeding, it is required	opy attached) showing that the testimony of the witness that said witness attend this proceeding.
Dated:		(signature)
	Name:	, ,
£		ources Control Board
§ 11400 and the witness is being compelled to	subpoena is in connection with a proce	eeding other than a hearing under Government Code the witness's county of residence and 150 miles or

PROOF OF SERVICE BY MAIL

(Government Code §11440.20)

I, JILL L. DRAGSETH, declare that:

I am employed in the County of Butte, State of California. I am over the age of eighteen years and not a party to the within cause. My Business address is 2571 California Park Drive, Suite 210, Chico, California 95928. I am familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day as it is placed for collection in the ordinary course of business.

On January 21, 2003, I served the within **Subpoena Duces Tecum** on the parties in said cause, by placing a true copy thereof enclosed in a sealed envelope, certified/return receipt requested, addressed as follows, and placed each for collection following ordinary business practices:

John Herrick South Delta Water Agency 5244 Pacific Avenue, Suite 2 Stockton, CA 95207

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 22, 2003, at Chico, California.

JILL L. DRAGSETH

BEFORE T	HE STATE WATER RESOURC	ES CONTROL BOARD	THE STATE OF CALIFORNIA
ATTORNEY OR PARTY WITH	OUT ATTO REQUESTING SUBPOEN.	A (name, address, and telephorical):	FOR STATE WATER BOARD USE ONLY
Tim O'Laughlin	· · · · · · · · · · · · · · · · · · ·	530/899-9755	
O'Laughlin & Pa		•	
Chico, CA 9592	Park Drive, Suite 210		
SanJo	aquinRiver Group Authori	tv.Modesto I D .	
REPRESENTING: Merced	I.D. Turlock I.D.	tery modes to 1.b.,	·
TITLE OF THE PROCEEDING	,		
VAMP: Long-Te	rm Transfer Hearing		
SUBPOENA	RE HEA	ARING	
SUBPOENA DUCES T	ECUM RE DEF	POSITION	
THE PEOPLE OF THE STA	TE OF CALIFORNIA, TO (name): Ku	rt Sharp	
1. YOU ARE ORDERED named in Item 3:	TO APPEAR AS A WITNESS in this	proceeding as follows unless y	ou make special agreement with the person
		·	
a. Date: February b. Address:	3. 2003	Time: 1:30 p.m.	
1		• -	
ZII E. WE	ber Avenue, Stockton, (LA 95202	10.77 2.70
2. AND YOU ARE:			C P
b. Not required to a sections 1560 and c. MO Ordered to appear custodian or other subdivision (b) o	d 1561. (Wat. Code, § 1080; Gov. Code ar in person and to produce the rece or qualified witness and the production of	cords described in the accompany a, § 11450.10(b); Cal. Code Regs., ords described in the accompany of the original records is required by 1 1562, of the Evidence Code will	ing affidavit in compliance with Evidence Code tit. 23, § 649.6(a).) ing affidavit. The personal attendance of the sy this subpoena. The procedure authorized by not be deemed sufficient compliance with this
3. IF YOU HAVE ANY QUE CERTAIN THAT YOUR APPEAR:	JESTIONS ABOUT WITNESS FEES (PRESENCE IS REQUIRED, CONTAC	OR THE TIME OR DATE FOR YO T THE FOLLOWING PERSON BE	OU TO APPEAR, OR IF YOU WANT TO BE EFORE THE DATE ON WHICH YOU ARE TO
a. Name: Tim O'La	ughlin	b. Telephone number: 530)/899-9755
	· · · · · · · · · · · · · · · · · · ·	(Gov. Co	ode, § 11450.20(a); Code Civ. Proc., § 1985.2.)
4. WITNESS FEES: You a person who serves this seq.; Code Civ. Proc., §§	subpoena or from the person named	ge actually traveled, both ways,	as provided by law. Request them from the 1083, 1084; Gov. Code, §§ 11450.40, 68070 et
officer assigned to you written notice to all part order quashing the sub or witnesses from uni § 11450,30.) (Send motions)	r case. Motions must be made within ties, with proof of service upon all pa poena entirely, modifying it, or direct reasonable or oppressive demands, ons to: The State Water Resources Con	n a reasonable period after receing rties attached. In response to you ing compliance with it, or may m , including unreasonable violat trol Board, Office of Chief Counsel,	cluding a motion to quash with the hearing pt of the subpoena, and shall be made with our motion, the hearing officer may make an ake any order needed to protect the parties ions of the right to privacy. (Gov. Code, P.O. Box 100, Sacramento, CA 95812-0100.)
DISOBEDIENCE OF THIS	SUBPOENA MAY CAUSE YOU TO BE		OTHER PENALTIES PROVIDED BY LAW
			v. Code, §§ 11450.20(b), 11455.10-11455.20.)
Dated: January 2:	1, 2003	5-06en	_ ~
/235	URCES		(signature)
A Salarina	The state of the s	Name: Tim O'Laughl	in
3	- CALCAL CO.	Title: A++a-nav f	Can Tanguin Divers Grove 3-th
N. S.			San Joaquin River Group Auth. Dist., Turlock Irrigation
13.15	15081		sto Irrigation District
	pursuant to Code of Civil Procedure, ginal subpoena is embossed with this seal.		nt on Subpoena, if used, and Proof of Service)

7/00

1	Tim O'Laughlin (State Bar No. 116807) William C. Paris, III (State Bar No. 168712)			
2	O'LAUGHLIN & PARIS LLP			
3	2571 California Park Drive, Suite 210			
	Chico, CA 95928			
4	Telephone: (330) 899-9733			
5	Facsimile: (530) 899-1367			
6	Attorneys for San Joaquin River Group Authority,			
7	Merced Irrigation District, Turlock Irrigation District, and Modesto Irrigation District			
8	STATE OF CALIFORNIA			
9	CTATE WATER RECOVER COMPROL BOARD			
10	STATE WATER RESOURCES CONTROL BOARD			
11				
12	In the matter of: DECLARATION OF TIM O'LAUGHLIN IN SUPPORT OF			
13	Petitions for Long Term Change and ADMINISTRATIVE SUBPEONA			
14	Permanent Change by Merced Irrigation AND SUBPOENA DUCES District, Modesto Irrigation District and TECUM (California Code of			
15	Turlock Irrigation District, Regulations § 649.6) Applications Nos. 1224, 10572, 16186,			
16	1233 and 14127			
17				
18				
19	I, TIM O'LAUGHLIN, declare as follows:			
20	1. I am one of the attorneys for the San Joaquin River Group Authority ("SJRGA")			
21	in the above-entitled action. This action is for a long term change by Merced Irrigation District,			
22	Modesto Irrigation District and Turlock Irrigation District to implement the San Joaquin River			
23				
24	Agreement ("SJRA"). This change petition is sought for 47,000 AF of water that may be needed			
25	in "double bump" years of the SJRA.			
26	2. Central Delta Water Agency has protested the petitions by Merced Irrigation			
27	District, Modesto Irrigation District and Turlock Irrigation District claiming, but not limited to,			
28				

"injury to legal user of water," "resulting in substantial injury" to water right, "unreasonably affecting" their water right. The documents requested will lead to the discovery of admissible

- Any and all documents supporting your claim to a pre-1914 water right.
- Any and all documents supporting your claim to a riparian water right for each parcel of land you irrigate.
 - Any and all water rights reserved to the parcel
 - Statements of Use (1995 to present)
 - Points of Diversion
 - Any subdivisions of the parcel
- Any and all documents supporting your claim to a post-1914 water right.
 - Statements of Use (1995 to present)
- Documents you will be submitting to the SWRCB pursuant to Water Code
- Any documents supporting your claim of "injury" pursuant to Water Code §1702, including but not limited to:
 - For every water right you claim:
 - Hydrology modeling
 - Impacts to water quality caused by this proposed change at your Point of Diversion.
 - Impacts to flow rate at Vernalis caused by this change.
 - time of year
 - duration

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3.	magnitude	of change
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- d. Impacts to water surface elevation at your Point of D
 Diversion.
 - 1. time of year
 - duration
 - 3. magnitude of change
- 2. Only for property claiming a valid water right that will have injury due to the proposed change.
 - a. Crop plantings by year (1995 to present)
 - b. Acreage planted by year
 - c. Yield of crop by year
 - d. Difference in yield for any years 1998-2202
 - e. Crop commodity price by year for crops planted 1995 to present
 - f. Crop insurance claims for 1995 to present
 - g. Acreage followed by year 1995 to present
 - h. Years from 1995 to present that the property was double cropped
 - Any quantifiable loss to crops due to salinity exceedence at Vernalis from 1995 to present.
- F. Any documents supporting your claim that the proposed change will "unreasonably affect" your water right pursuant to Water Code §1707.
- G. Any documents supporting your claims that the proposed change will "result in substantial injury" to your water right pursuant to Water Code §1736.
- 4. I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct, and that this declaration was executed on this day of January, 2003, in Chico, California.

Tim O'Laughlin

PROOF OF SERVICE OF SUBPOE § 11440.20; Code Civ. Proc., §§ 1987, 1987.5, 1988, 1989, 2015.3, 2015.5.)

1. I served this subpoena xxx subpoena duces tecum and supporting affidavit by:	•
personally delivering a copy to the person served as follows:	
a. Person served (name):	b. Date of delivery:
c. Address where served:	d. Time of delivery:
e. Witness fees and mileage both ways (check one):	f. Fees for service.
(1) were paid. Amount: \$	Amount: \$
(2) were not paid. (3) Second were tendered to the witness's public entity employer as required by Government Code § 68097.2. The amount tendered was \$	Autour, 4
delivering true copies thereof by certified mail, return receipt requested, to the addelivering true copies thereof enclosed in a sealed envelope to a messenger for in shown below.	lress as shown below. nmediate personal delivery to the address as
Address where served: 235 East Weber Avenue, Stockton, CA 95201	
2. I certify that I received thissubpoenasubpoena duces tecum for service on _	
	Date
I declare under penalty of perjury under the laws of the State of California that the foregoing is true a lat (place) Chico, CA California California	Signature
(For California sheriff, marshal, or constable use only)	
I certify that the foregoing is true and correct and that this certificate is executed on: Date at (place)	Signature
, California	1
NOTE: IF THIS SUBPOENA IS ISSUED IN CONNECTION WITH A HEARING IN A GOVERNMENT CODE § 11400 ET SEQ., THE ATTORNEY OR PARTY WITHOUT AN A MUST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY IN THE HEARIN NATER RESOURCES CONTROL BOARD. THE COPY PROVIDED TO THE STATE MUST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING THE NAMES AND PROVIDED COPIES IN ACCORDANCE WITH GOVERNMENT CODE § 11440.20. (G. 648.4(c).) (Send to: The State Water Resources Control Board, Office of Chief Counsel, P.O. Box 1	TTORNEY REQUESTING THIS SUBPOENA IG, AND FILE A COPY WITH THE STATE WATER RESOURCES CONTROL BOARD ND ADDRESSES OF PARTIES WHO WERE
ENDORSEMENT ON SUBPOENA IN A PROCE OTHER THAN AN ADJUDICATIVE PROCEED	EDING DING
ursuant to Water Code §1086 and upon affidavit of(copy atta- dered by the subpoena to appear is material and necessary to this proceeding, it is required that sai	ched) showing that the testimony of the witness d witness attend this proceeding.
ated:	
	(signature)
Name:	
Title:State Water Resources C	ontrol Board
OTE: This ENDORSEMENT is required if the subpoena is in connection with a proceeding of 11400 and the witness is being compelled to testify at a location that is both out of the witness from the witness's place of recidence (Web Code & 1000 Code	

PROOF OF SERVICE BY MAIL

(Government Code §11440.20)

I, JILL L. DRAGSETH, declare that:

I am employed in the County of Butte, State of California. I am over the age of eighteen years and not a party to the within cause. My Business address is 2571 California Park Drive, Suite 210, Chico, California 95928. I am familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day as it is placed for collection in the ordinary course of business.

On January 21, 2003, I served the within Subpoena Duces Tecum on the parties in said cause, by placing a true copy thereof enclosed in a sealed envelope, certified/return receipt requested, addressed as follows, and placed each for collection following ordinary business practices:

Dante John Nomellini Central Delta Water Agency 235 East Weber Avenue Stockton, CA 95201

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 22, 2003, at Chico, California.

JILL L. DRAGSETH

BEFORE THE STATE WATER RESOL	IRCES	CONTROL BOA	ARD T	HE STATE OF CA	MICORNI
Tim O'Laughlin O'Laughlin & Paris LLP 2571 California Park Drive, Suite 2 Chico, CA 95928	OENA (n 53	ame, address, and tele _l 30/899–9 7 55	phon :	FOR STATE WA	TER BOARD USE ONLY
SanJoaquinRiver Group Auth REPRESENTING: Merced I.D., Turlock I.D., TITLE OF THE PROCEEDING:	ority	, Modesto I.D	• /		
VAMP: Long-Term Transfer Hearing					
SUBPOENA	HEARIN	G]	
SUBPOENA DUCES TECUM RE	DEPOSI	FION			
THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name):		i Mussi	# 1		
1. YOU ARE ORDERED TO APPEAR AS A WITNESS in named in item 3:	this pro	ceeding as follows	unless you	make special agree	ement with the person
a. Date:	Ti	me:	· · · · · · · · · · · · · · · · · · ·		
February 3, 2003		10:00 a.	.m.	Park Same	
211 E. Weber Avenue, Stockton	CA	95202		<u>La companya da manangan da</u>	OF .
2. AND YOU ARE:	,				
b. Not required to appear in person if you produce the sections 1560 and 1561. (Wat. Code, § 1080; Gov. C. C. Ordered to appear in person and to produce the custodian or other qualified witness and the production subdivision (b) of section 1560, and sections 1561 subpoena. (Wat. Code, § 1080; Gov. Code, § 11450.) 3. IF YOU HAVE ANY QUESTIONS ABOUT WITNESS FEE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTAPPEAR:	records on of the and 156 i0; Cal. (described in the acception of the Evidence Code Regs., tit. 23, §	e Regs., tit.; companying equired by ti code will no 649.6(a).)	23, § 649.6(a).) affidavit. The perso his subpoena. The pr t be deemed sufficien	nal attendance of the ocedure authorized by t compliance with this
					The First To
a. Name: Tim O'Laughlin	b.	Telephone number:	530/8	399-9755	
I. WITNESS FEES: You are entitled to witness fees and mit person who serves this subpoena or from the person name seq.; Code Civ. Proc., §§ 1986.5, 2065.)	eage ac ned in it	dually travalad bath		, § 11450.20(a); Code provided by law. Rec 3, 1084; Gov. Code, §	·
If you object to the terms of this subpoena, you may file officer assigned to your case. Motions must be made with written notice to all parties, with proof of service upon all order quashing the subpoena entirely, modifying it, or directly or witnesses from unreasonable or oppressive demans § 11450.30.) (Send motions to: The State Water Resources C	parties ecting c	attached. In respon	er receipt o se to your i r may make	of the subpoena, and motion, the hearing o any order needed to	shall be made with fficer may make an protect the parties
DISOBEDIENCE OF THIS SUBPOENA MAY CAUSE YOU TO	BE LIAI	BLE FOR CONTEMP	T AND OTH	ER PENALTIES PRO	VIDED BY LAW
	(V	Vat. Code, §§ 1090-1	097; Gov. C	ode, §§ 11450.20(b), 1	1455.10-11455.20.)
ated: January 21, 2003		5-01	red	signature)	
LE SURCER COMPANY OF THE PROPERTY OF THE PROPE	-	_{lame:} Tim O'La		signature)	
196 LAN 351	1	vame: +±n ∪ b¢	ugulli		

Da

Unless issued by an attorney pursuant to Code of Civil Procedure, Section 1985, subdivision (c), the original subpoena is embossed with this seal.

Title: Attorney for San Joaquin River Group Auth., Merced Irrigation Dist., Turlock Irrigation District and Modesto Irrigation District

(See reverse for Endorsement on Subpoena, if used, and Proof of Service)

Tim O'Laughlin (State Bar No. 116807) 1 William C. Paris, III (State Bar No. 168712) O'LAUGHLIN & PARIS LLP 2571 California Park Drive, Suite 210 3 Chico, CA 95928 4 Telephone: (530) 899-9755 Facsimile: (530) 899-1367 5 Attorneys for San Joaquin River Group Authority, 6 Merced Irrigation District, Turlock Irrigation District, 7 and Modesto Irrigation District 8 STATE OF CALIFORNIA 9 STATE WATER RESOURCES CONTROL BOARD 10 11 In the matter of: 12 DECLARATION OF TIM O'LAUGHLIN IN SUPPORT OF Petitions for Long Term Change and 13 ADMINISTRATIVE SUBPEONA Permanent Change by Merced Irrigation AND SUBPOENA DUCES 14 District, Modesto Irrigation District and TECUM (California Code of Turlock Irrigation District. Regulations § 649.6) 15 Applications Nos. 1224, 10572, 16186, 1233 and 14127 16 17 18 I, TIM O'LAUGHLIN, declare as follows: 19 I am one of the attorneys for the San Joaquin River Group Authority ("SJRGA") 20 1. 21 in the above-entitled action. This action is for a long term change by Merced Irrigation District, 22 Modesto Irrigation District and Turlock Irrigation District to implement the San Joaquin River 23 Agreement ("SJRA"). This change petition is sought for 47,000 AF of water that may be needed 24 in "double bump" years of the SJRA. 25 Central Delta Water Agency has protested the petitions by Merced Irrigation 2. 26 27 District, Modesto Irrigation District and Turlock Irrigation District claiming, but not limited to, 28

1	3. magnitude of change			
2	d. Impacts to water surface elevation at your Point of D			
3				
4	1. time of year			
5	2. duration			
6	3. magnitude of change			
7	2. Only for property claiming a valid water right that will have injury			
8	due to the proposed change.			
	a. Crop plantings by year (1995 to present)			
9	b. Acreage planted by year			
10	c. Yield of crop by year			
11	d. Difference in yield for any years 1998-2202			
12	e. Crop commodity price by year for crops planted 1995 to			
13	present			
14	f. Crop insurance claims for 1995 to present			
15	g. Acreage followed by year 1995 to present			
16	h. Years from 1995 to present that the property was double			
17	cropped			
18	i. Any quantifiable loss to crops due to salinity exceedence at			
	Vernalis from 1995 to present.			
19	F. Any documents supporting your claim that the proposed change will			
20	"unreasonably affect" your water right pursuant to Water Code §1707.			
21	G. Any documents supporting your claims that the proposed change will			
22	"result in substantial injury" to your water right pursuant to Water Code §1736.			
23	4. I declare under penalty of perjury, under the laws of the State of California, that			
24	the foregoing is true and correct, and that this declaration was executed on this 218 day of			
25	January, 2003, in Chico, California.			
26	5-01/m/-			
27	Tim O'Laughlin			
28				

a. Person served (name):	
	b. Date of delivery:
c. Address where served:	d. Time of delivery:
e. Witness fees and mileage both ways (check one):	f. Fees for service.
(1) were paid. Amount: \$	Amount: \$
delivering true copies thereof by certified mail, return receipt redelivering true copies thereof enclosed in a sealed envelope to shown below.	o a messenger for immediate personal delivery to the address as
ddress where served: 235 East Weber Avenue, Stockto	on, CA 95201
I certify that I received thissubpoenasubpoena duces teci	
	Date
declare under penalty of perjury under the laws of the State of California that to ate 1/21/03 at (place) Chico, C	the foregoing is true and correct and that this declaration is executed A Signature , California
or California sheriff, marshal, or constable use only)	
ertify that the foregoing is true and correct and that this certificate is executed to the state of the state	d on: Signature
	, California
··	D. Mark C. C. College C.
ST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY TER RESOURCES CONTROL BOARD. THE COPY PROVIDED ST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING OVIDED COPIES IN ACCORDANCE WITH GOVERNMENT COP	Y WITHOUT AN ATTORNEY REQUESTING THIS SUBPOE Y IN THE HEARING, AND FILE A COPY WITH THE STA O TO THE STATE WATER RESOURCES CONTROL BOAL IG THE NAMES AND ADDRESSES OF PARTIES WHO WEL
ST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY TER RESOURCES CONTROL BOARD. THE COPY PROVIDED ST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING OVIDED COPIES IN ACCORDANCE WITH GOVERNMENT COP	Y WITHOUT AN ATTORNEY REQUESTING THIS SUBPOE Y IN THE HEARING, AND FILE A COPY WITH THE STA O TO THE STATE WATER RESOURCES CONTROL BOAL IG THE NAMES AND ADDRESSES OF PARTIES WHO WEI DE § 11440.20. (Gov. Code, § 11440.20; Cal. Code Regs., tit. Counsel, P.O. Box 100, Sacramento, CA 95812-0100.)
IST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY ITER RESOURCES CONTROL BOARD. THE COPY PROVIDED ST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTINI OVIDED COPIES IN ACCORDANCE WITH GOVERNMENT COD 18.4(c).) (Send to: The State Water Resources Control Board, Office of Chief ENDORSEMENT ON SUBPOEI OTHER THAN AN ADJUDICA	Y WITHOUT AN ATTORNEY REQUESTING THIS SUBPOE Y IN THE HEARING, AND FILE A COPY WITH THE STA D TO THE STATE WATER RESOURCES CONTROL BOAL IG THE NAMES AND ADDRESSES OF PARTIES WHO WEI DE § 11440.20. (Gov. Code, § 11440.20; Cal. Code Regs., tit. Counsel, P.O. Box 100, Sacramento, CA 95812-0100.) NA IN A PROCEEDING ATIVE PROCEEDING
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OTHER THAN AN ADJUDICA suant to Water Code §1086 and upon affidavit of	Y IN THE HEARING, AND FILE A COPY WITH THE STA Y IN THE HEARING, AND FILE A COPY WITH THE STA D TO THE STATE WATER RESOURCES CONTROL BOAL IS THE NAMES AND ADDRESSES OF PARTIES WHO WEL S 11440.20. (Gov. Code, § 11440.20; Cal. Code Regs., tit. Counsel, P.O. Box 100, Sacramento, CA 95812-0100.) NA IN A PROCEEDING (copy attached) showing that the testimony of the witness it is required that said witness attend this proceeding. (signature)

PROOF OF SERVICE BY MAIL

(Government Code §11440.20)

I, JILL L. DRAGSETH, declare that:

I am employed in the County of Butte, State of California. I am over the age of eighteen years and not a party to the within cause. My Business address is 2571 California Park Drive, Suite 210, Chico, California 95928. I am familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day as it is placed for collection in the ordinary course of business.

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Dante John Nomellini Central Delta Water Agency 235 East Weber Avenue Stockton, CA 95201

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 22, 2003, at Chico, California.

JILL L. DRAGSETH

BEFORE THE STA	TATER RESOURCE	ES CONTROL BOAR	RD THE S	STATE OF CALI	EOD!!!
Tim O'Laughlin O'Laughlin & Paris LL	RIL EQUESTING SUBPOENA	(name, address, and telepi 530/899–9755	hone.	FOR STATE WATER	BOARD USE ONLY
2571 California Park Chico, CA 95928	Drive, Suite 210				
SanJoaquinR REPRESENTING: Merced I.D., TITLE OF THE PROCEEDING:	iver Group Authori Turlock I.D.	ty, ModestoI.D.	,		
VAMP: Long-Term Trai	nsfer Hearing				
SUBPOENA	RE HEAI	RING			
SUBPOENA DUCES TECUM	RE DEPO	DSITION			•
THE PEOPLE OF THE STATE OF CA					
YOU ARE ORDERED TO APPE named in item 3:	AR AS A WITNESS in this i	proceeding as follows (unless you ma	ke special agreeme	nt with the person
a. Date:	3	Time:			
February 3, 200		8:00 a.m.			
ZII E. Weber Ave	enue, Stockton, Ci	A 95202			1
2. AND YOU ARE:) 		
custodian or other qualified subdivision (b) of section 19	at. Code, § 1080; Gov. Code, at. Code, § 1080; Gov. Code, on and to produce the recorwitness and the production of 560, and sections 1561 and 580; Gov. Code, § 11450.10; Code	ords described in the acc § 11450.10(b); Cal. Code ds described in the acc the original records is re 1562, of the Evidence Cal. Code Regs., tit. 23, § 6	companying affice Regs., tit. 23, § companying affice quired by this sode will not be 649.6(a).)	davit in compliance w 649.6(a).) davit. The personal ubpoena. The proce deemed sufficient co	attendance of the dure authorized by empliance with this
a. Name: Tim O'Laughlin		b. Telephone number:	530/899	-0755	
				1450.20(a); Code Civ	
 WITNESS FEES: You are entitled person who serves this subpoena seq.; Code Civ. Proc., §§ 1986.5, 20 If you object to the terms of this sofficer assigned to your case. Mo written notice to all parties, with proorder quashing the subpoena entition witnesses from unreasonable § 11450.30.) (Send motions to: The state of the subpoena entitions of the subpoena entitions witnesses from unreasonable § 11450.30.) 	subpoena, you may file a m tions must be made within a roof of service upon all parti ely, modifying it, or direction	e actually traveled, both in item 3. (Wat. Code, §§ notion for a protective of a reasonable period after ies attached. In responsing g compliance with it, or	ways, as proven 1081, 1083, 10 and the receipt of the set of your motion may make any	ided by law. Reque 84; Gov. Code, §§ 1 a motion to quash e subpoena, and sh on, the hearing offic y order needed to pr	st them from the 1450.40, 68070 et with the hearing all be made with her may make an otect the parties
DISOBEDIENCE OF THIS SUBPOEN	A MAY CAUSE YOU TO BE I	LIABLE FOR CONTEMPT	AND OTHER	PENALTIES PROVID	ED BY LAW
		(Wat. Code, §§ 1090-10	97; Gov. Code,	§§ 11450.20(b), 114	55.10-11455.20.)
Dated: January 21, 2003		5-00	ock_		
TE COUNCES		Name: Tim O'La		ature)	
	··	Merced Irriga	ition Dist	Turlock I	er Group Auth. Errigation
Unless issued by an attorney pursuant to Co Section 1985, subdivision (c), the original subpoem	ode of Civil Procedure, a is embossed with this seal.	District and	Modesto I	rrigation Di	.strict

7/00

Tim O'Laughlin (State Bar No. 116807) 1 William C. Paris, III (State Bar No. 168712) 2 O'LAUGHLIN & PARIS LLP 2571 California Park Drive, Suite 210 3 Chico, CA 95928 4 Telephone: (530) 899-9755 Facsimile: (530) 899-1367 5 Attorneys for San Joaquin River Group Authority, 6 Merced Irrigation District, Turlock Irrigation District, 7 and Modesto Irrigation District 8 STATE OF CALIFORNIA 9 STATE WATER RESOURCES CONTROL BOARD 10 11 In the matter of: 12 **DECLARATION OF TIM** O'LAUGHLIN IN SUPPORT OF 13 Petitions for Long Term Change and ADMINISTRATIVE SUBPEONA Permanent Change by Merced Irrigation AND SUBPOENA DUCES 14 District, Modesto Irrigation District and TECUM (California Code of Turlock Irrigation District, Regulations § 649.6) 15 Applications Nos. 1224, 10572, 16186. 1233 and 14127 16 17 18 I, TIM O'LAUGHLIN, declare as follows: 19 I am one of the attorneys for the San Joaquin River Group Authority ("SJRGA") 20 1. 21 in the above-entitled action. This action is for a long term change by Merced Irrigation District, 22 Modesto Irrigation District and Turlock Irrigation District to implement the San Joaquin River 23 Agreement ("SJRA"). This change petition is sought for 47,000 AF of water that may be needed 24 in "double bump" years of the SJRA. 25 Central Delta Water Agency has protested the petitions by Merced Irrigation 2. 26 27 District, Modesto Irrigation District and Turlock Irrigation District claiming, but not limited to, 28

1 2 3 evidence in this proceeding. 4 A. 5 В. 6 7 (1) Parcel Map 8 (2) Chain of Title 9 (3) 10 (4) (5) Proof of Use 11 (6) 12 (7) Place of Use 13 (8) 14 C. 15 (1) Application 16 (2) Permit 17 (3) License 18 (4) 19 D. §1703.6(c)(2). 20 E. 21 22 1. 23 a. 24 b. 25 26 c. 27 1. 2. 28

"injury to legal user of water," "resulting in substantial injury" to water right, "unreasonably affecting" their water right. The documents requested will lead to the discovery of admissible

- Any and all documents supporting your claim to a pre-1914 water right.
- Any and all documents supporting your claim to a riparian water right for each parcel of land you irrigate.
 - Any and all water rights reserved to the parcel
 - Statements of Use (1995 to present)
 - Points of Diversion
 - Any subdivisions of the parcel
- Any and all documents supporting your claim to a post-1914 water right.
 - Statements of Use (1995 to present)
- Documents you will be submitting to the SWRCB pursuant to Water Code
- Any documents supporting your claim of "injury" pursuant to Water Code §1702, including but not limited to:
 - For every water right you claim:
 - Hydrology modeling
 - Impacts to water quality caused by this proposed change at your Point of Diversion.
 - Impacts to flow rate at Vernalis caused by this change.
 - time of year
 - duration

	11				
1				3.	magnitude of change
2			d.	Impac	ts to water surface elevation
3				Divers	sion.
4			/	1.	time of year
5				2.	duration
6				3.	magnitude of change
7		2	2. Only f	or prope	erty claiming a valid water i
8			due to		posed change.
			a.	Crop p	lantings by year (1995 to pr
9			b.	Acreag	ge planted by year
10			c.	Yield o	of crop by year
11			d.	Differe	ence in yield for any years 1
12			e.	Crop c	ommodity price by year for
13				present	t
14			f.	Crop in	nsurance claims for 1995 to
15			g.	Acreag	e followed by year 1995 to
16			h.	Years f	from 1995 to present that th
:			*	croppe	d
17			i.	Any qu	antifiable loss to crops due
18				Vernali	is from 1995 to present.
19					rting your claim that the pro
20		"unreaso	nably affect"	your wa	ater right pursuant to Water
21					rting your claims that the pr
22					o your water right pursuant
23	4.				ury, under the laws of the S
24	1			that this	s declaration was executed of
25	January, 2003,	in Chico	, California.		
26					5-0/m
					Tim O'Laughlin
27					
28					
1	1				

	3.	magnitude of change			
d.	Impac	ts to water surface elevation at your Point of D			
	Diversion.				
1	1.	time of year			
	2.	duration			
	3.	magnitude of change			
Only for property claiming a valid water right that will have injur					
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a.	Crop plantings by year (1995 to present)				
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	present	t			
f.	Crop in	nsurance claims for 1995 to present			
g.	Acreag	e followed by year 1995 to present			
h.	Years from 1995 to present that the property was double				
	croppe	d			
i.	Any qu	antifiable loss to crops due to salinity exceedence at			
	Vernali	is from 1995 to present.			
cument	s suppo	rting your claim that the proposed change will			
affect" your water right pursuant to Water Code §1707.					
ocuments supporting your claims that the proposed change will					
tantial i	njury" t	o your water right pursuant to Water Code §1736.			
penalty of perjury, under the laws of the State of California, that					
ect, and	that this	s declaration was executed on this 2157 day of			

1. I served this subpoena XX subpoer	a duces tecum and supporting affidavit by	r:			
personally delivering a copy to the p	erson served as follows:				
a. Person served (name):		b. Date of delivery:			
c. Address where served:		d. Time of delivery:			
e. Witness fees and mileage both ways (check	one):	f. Fees for service.			
(1) were paid. Amount: \$	s's public entity employer as required by 2.	Amount: \$			
delivering true copies thereof by certified mail, return receipt requested, to the address as shown below. delivering true copies thereof enclosed in a sealed envelope to a messenger for immediate personal delivery to the address as shown below.					
Address where served: 235 East Weber	Avenue, Stockton, CA 952	01			
2. I certify that I received this subpoena	subpoena duces tecum for service or	1			
		Date			
I declare under penalty of perjury under the laws of $\frac{Date}{1}$ $\frac{1}{21}$	the State of California that the foregoing is tru at (place) Chico, CA , Califo	be and correct and that this declaration is executed on: Signature			
(For California sheriff, marshal, or constable use on	ly)				
certify that the foregoing is true and correct and the Date	at this certificate is executed on: at (place)	Signature			
	, Califor	rnia			
NOTE: IF THIS SUBPOENA IS ISSUED IN CONNECTION WITH A HEARING IN AN ADJUDICATIVE PROCEEDING UNDER GOVERNMENT CODE § 11400 ET SEQ., THE ATTORNEY OR PARTY WITHOUT AN ATTORNEY REQUESTING THIS SUBPOENA MUST PROVIDE A COPY OF THE SUBPOENA TO EVERY PARTY IN THE HEARING, AND FILE A COPY WITH THE STATE WATER RESOURCES CONTROL BOARD. THE COPY PROVIDED TO THE STATE WATER RESOURCES CONTROL BOARD MUST BE ACCOMPANIED BY A CERTIFICATE OF SERVICE LISTING THE NAMES AND ADDRESSES OF PARTIES WHO WERE PROVIDED COPIES IN ACCORDANCE WITH GOVERNMENT CODE § 11440.20. (Gov. Code, § 11440.20; Cal. Code Regs., tit. 23, § 648.4(c).) (Send to: The State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100.)					
ENDORSEMENT ON SUBPOENA IN A PROCEEDING OTHER THAN AN ADJUDICATIVE PROCEEDING					
Pursuant to Water Code §1086 and upon affidavit of (copy attached) showing that the testimony of the witness ordered by the subpoena to appear is material and necessary to this proceeding, it is required that said witness attend this proceeding.					
Pated:					
		(signature)			
	Name:				
f	Title:State Water Resource	es Control Board			
2 11400 min me wimess to beind combelled fo	subpoena is in connection with a proceeding	ng other than a hearing under Government Code			

PROOF OF SERVICE BY MAIL

(Government Code §11440.20)

I, JILL L. DRAGSETH, declare that:

I am employed in the County of Butte, State of California. I am over the age of eighteen years and not a party to the within cause. My Business address is 2571 California Park Drive, Suite 210, Chico, California 95928. I am familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service pursuant to which practice all correspondence will be deposited with the United States Postal Service the same day as it is placed for collection in the ordinary course of business.

On January 21, 2003, I served the within **Subpoena Duces Tecum** on the parties in said cause, by placing a true copy thereof enclosed in a sealed envelope, certified/return receipt requested, addressed as follows, and placed each for collection following ordinary business practices:

Dante John Nomellini Central Delta Water Agency 235 East Weber Avenue Stockton, CA 95201

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 22, 2003, at Chico, California.

JILL L. DRAGSETH